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10/807,353	03/24/2004	Kazuki Yamamoto	Q80583	5376
23373 7590 11/28/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER SELBY, GEVELL V	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/807,353

Applicant(s)

YAMAMOTO, KAZUKI

Examiner

Gevell Selby

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 8/30/07 have been fully considered but they are not persuasive. The applicant submits the following claimed limitations are not disclosed by the prior art:

displaying a plurality of principal image frames on the display panel arranged along a first line, and displaying at least one intra-group image frame on the display panel arranged along a second line different from the first line, the principal image frame being different from the intra-group image frame, as stated in regard to claims 1, 20, and 24.

The applicant submits the Misawa reference qualifies as a 102(e) and since it and the application are assigned to Fujifilm Corp., the Misawa reference does not qualify for 103(a). The examiner respectfully disagrees.

#### **Examiner's Reply:**

Re claim 1, 20, and 24) The Anderson reference discloses displaying a plurality of principal image frames on the display panel (see figure 11A, element 700: the principal image frames are 1,4,9,and 10) arranged along a first line, and displaying at least one intra-group image frame (see figure 11B, element 1034: the intra-group of image 4 is displayed and connected by lines, wherein the image frames 5 and 6 are intra-group image frames) on the display panel arranged along a second line different from the first line (see column 7, lines 61-64 and figure 11B, element 704: the principal image is first displayed on the second line at element 704 and when the position indicator is shifted forward by pressing the right button and image 5, the first intra-group image frame, is displayed in display area 704 on a different line). Therefore, the Anderson

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reference discloses all the limitations of the claimed invention. The dependent claims are not allowable do to their dependency.

Re claim 9) The Misawa reference qualifies as prior art under 102(a), since it was published before the filing date of the application. Therefore, claim 9 remains rejected 103(a).

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-6, 10-17, 20, 22, 23, 24, 26, 27, and 29 rejected under 35 U.S.C. 102(e) as being anticipated by Anderson, US 6,538,698.**

In regard to claim 1, Anderson, US 6,538,698, discloses an image displaying method of displaying plural image frames on a display panel, wherein image data of said image frames are stored in a data storage with chronological information, said image displaying method comprising steps of:

A. obtaining a chronological interval between said image frames according to said chronological information (see column 6, lines 56-60);

B. grouping said plural image frames into plural image groups according to a length of said chronological interval (see column 6, lines 60-63);

C. determining a principal image frame of each of said image groups and one or more intra-group image frames which are included in each of said image groups but different from said principal image frame (see column 7, lines 29-34);

D. displaying a plurality of said principal image frame on said display panel in a state arranged along a first line (see figure 10);

E. specifying one of said plural principal image frames, to determine a specified principal image frame (see column 7, lines 38-48);

F. displaying at least one intra-group image frame on said display panel (see figure 11A, element 700: the principal image frames are 1,4,9,and 10) in a state arranged along a second line different from said first line, said at least one intra-group image frame (see figure 11B, element 1034: the intra-group of image 4 is displayed and connected by lines, wherein the image frames 5 and 6 are intra-group image frames) being included in an image group of said specified principal image frame (see column 7, lines 61-64 and figure 11B, element 704: the principal image is first displayed on the second line at element 704 and when the position indicator is shifted forward by pressing the right button and image 5, the first intra-group image frame, is displayed in display area 704 on a different line).

In regard to claim 2, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 1, wherein said second line intersects with said first line at said specified principal image frame (see figure 11B).

In regard to claim 3, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 2, further comprising steps of:

G. reading said chronological information from said data storage (see column 5, lines 38-40; column 6, lines 37-33: image tags are read from the memory storing the image data in order to use the data to sort the images by the selected category);

H. after said step C, reading said image data of said principal image frames from said data storage (see column 7, lines 25-27);

I. after said step D, reading said image data of said intra-group image frames from said data storage (see column 7, lines 52-55: when the expand button is selected after step C, all the intra-group images are read out and displayed).

In regard to claim 4, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 3, wherein if said step E occurs during said step I, said image data of said intra-group image frames included in said image group having said specified principal image frame are read with priority from said data storage (see column 7, lines 49-55: when expanded, all the images in the group are read out and displayed).

In regard to claim 5, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 4, wherein in said step I, said image data of said intra-group image frames are read in a sequence determined by said chronological information (see figure 11B, intra-group image frames 5 and 6 are read out in sequence after principal image 4).

In regard to claim 6, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 4, wherein in said step I, said image data of said intra-group image frames are read for one image frame per one image group and also in a sequence of said image groups (see figure 11B).

In regard to claims 10 and 29, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 2, wherein said second line is perpendicular to said first line (see figure 11B, element 704: the second line with the image 704 is perpendicular to the first line 700).

In regard to claim 11, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 3, further comprising steps of:

L. determining said principal image frame for one of said image groups of which reading of said image data of said intra-group image frames is completed (see column 7, lines 40-52);

M. displaying said principal image frame on said display panel in a renewed manner according to a result of said step L (see figure 11B).

In regard to claim 12, Anderson, US 6,538,698, discloses an displaying method as defined in claim 11, wherein said steps L and M are executed periodically at a regular period (see column 7, lines 59-64: when the left or right button is held down and the cursor is continuously moved along the images in the group, the images are redisplayed).

In regard to claim 13, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 11, wherein it is inherent the principal image frame of the Anderson reference determined in said step L is a frame of a human image, when human

images are captured for that category (see column 6, lines 1-15: Anderson discloses using human characteristics from captured images for sorting).

In regard to claim 14, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 3, further comprising: combining a plurality of said intra-group image frames for one of said image groups of which reading of said image data of said intra-group image frames is completed, to produce a combined image frame; displaying said combined image frame on said display panel in a renewed manner for said principal image frame (see figure 11B, images 4-6).

In regard to claim 15, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 1, wherein said data storage further stores an index file for associating said image frames with said chronological information (see column 5, lines 38-40); further comprising steps of:

before said step A, reading said index file (see column 6, lines 27-33: it is inherent the category information in each file is readout in order to sort the images);

if said chronological interval between two of said image frames is smaller than a predetermined value, determining that said two image frames are included in a common one of said image groups; if said chronological interval between said two image frames is equal to or greater than said predetermined value, determining that said two image frames are included in two distinct image groups of said image groups (see column 6, lines 27-33: it is inherent in the sorting by weeks performed in the Anderson reference, that if two image were taken in the



same week they would be grouped together and if not the would be placed in separate groups according to the week they were taken).

In regard to claim 16, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 1, wherein a combination of said image data and said chronological information constitutes a data file (see figure 5, element 835); further comprising steps of:

before said step reading said chronological information from said data file (see column 6, lines 27-33: it is inherent the category information in each file is readout in order to sort the images);

producing an index file for associating said image frames with said chronological information (see column 5, lines 38-40);

if said chronological interval between two of said image frames is smaller than a predetermined value, determining that said two image frames are included in a common one of said image groups; if said chronological interval between said two image frames is equal to or greater than said predetermined value, determining that said two image frames are included in two distinct image groups of said image groups (see column 6, lines 27-33: it is inherent in the sorting by weeks performed in the Anderson reference, that if two image were taken in the same week they would be grouped together and if not the would be placed in separate groups according to the week they were taken).

In regard to claim 17, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 1, further comprising steps of:

displaying an indicator (see figure 11A, element 702) on said display panel for selectively pointing said image frames (see column 5, lines 1-5);

moving said indicator on said first line, in order to specify said principal image frames on said display panel (see column 7, lines 39-48).

In regard to claims 20 and 24, Anderson, US 6,538,698, discloses a system adapted to receiving an order, comprising:

a pickup device (see figure 1, element 114) for producing image data of image frames by pickup thereof (see column 3, lines 13-15), to write chronological information and said image data to a data storage (see column 5, lines 38-40); and

an order receiving device (see figure 1, element 110) for displaying plural image frames on a display panel, and for receiving an order according to selection of said image frames to be reproduced, wherein image data of said image frames are stored in a data storage with chronological information, said order receiving device comprising:

a transferring unit (see figure 1, element 352) for reading said image data and said chronological information from said data storage (see column 3, lines 22-23);

a chronology analyzer (see figure 1, element 344) for obtaining a chronological interval between said image frames according to said chronological information (see column 6, lines 56-60), for grouping said plural image frames into plural image groups according to a length of said chronological interval (see column 6, lines 60-63), and for determining a principal image frame of each of said image groups and one or more intra-

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group image frames which are included in each of said image groups but different from said principal image frame (see column 7, lines 29-34);

a controller (see figure 1, element 390) for driving said display panel to display a plurality of said principal image frame in a state arranged along a first line (see figure 10);

a selector (see figure 10, element 410a & b) for specifying one of said plural principal image frames, to determine a specified principal image frame (see column 7, lines 38-48);

wherein said controller drives said display panel to display at least one intra-group image frame on said display panel (see figure 11A, element 700: the principal image frames are 1,4,9,and 10) in a state arranged along a second line different from said first line, said at least one intra-group image frame (see figure 11B, element 1034: the intra-group of image 4 is displayed and connected by lines, wherein the image frames 5 and 6 are intra-group image frames) being included in an image group of said specified principal image frame (see column 7, lines 61-64 and figure 11B, element 704: the principal image is first displayed on the second line at element 704 and when the position indicator is shifted forward by pressing the right button and image 5, the first intra-group image frame, is displayed in display area 704 on a different line).

In regard to claims 21 and 25, Anderson, US 6,538,698, discloses an order receiving device and system as defined in claims 20 and 24, wherein said second line intersects with said first line at said specified principal image frame (see figure 11B).

In regard to claims 22 and 26, Anderson, US 6,538,698, discloses an order receiving device and system as defined in claims 21 and 25, wherein said transferring unit reads said image data of said principal image frames from said data storage, and upon displaying said principal image frames on said display panel (see figure 10: it is inherent the principal images (1 4, 9, and 10) were read from the data storage in order to display them), reads said image data of said intra-group image frames from said data storage see column 7, lines 52-55: when the expand button is selected after step C, all the intra-group images a readout and displayed).

In regard to claims 23 and 27, Anderson, US 6,538,698, discloses an order receiving device and system as defined in claims 22 and 26, wherein upon specifying one of said principal image frames while said image data of said intra-group image frames are read, said image data of said intra-group image frames included in said image group having said specified principal image frame are read with priority from said data storage (see column 7, lines 49-55: when expanded, all the images in the group are readout and displayed).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**5. Claims 7, 8, 19, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson, US 6,538,698, in view of Nagasaka et al., US 6,341,168.**

In regard to claim 7, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 3. The Anderson reference does not disclose further comprising a step of displaying frame amount information on said display panel in association with said principal image frames, said frame amount information representing an amount of said intra-group image frames included in respectively said image groups.

Nagasaka et al., US 6,341,168, discloses displaying a representative images of a moving images consisting of variable number of frames, wherein the several icons are stacked on top of each other overlapping to represent the number of frames in the group or the shot duration (see figure 5 and column 6, lines 35-45).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Anderson, US 6,538,698, in view of Nagasaka et al., US 6,341,168, to have a step of displaying frame amount information on said display panel in association with said principal image frames, said frame amount information representing an amount of said intra-group image frames included in respectively said image groups, in order for the user to easily and quickly determine size of the group of images.

In regard to claim 8, Anderson, US 6,538,698, in view of Nagasaka et al., US 6,341,168, discloses an image displaying method as defined in claim 7. The Nagasaka reference discloses wherein said frame amount information has a form of at least one sub-frame, and is disposed to overlap on said principal image frames in said display panel,

and a number of said at least one sub-frame is substantially proportional to said amount of said intra-group image frames included in an associated one of said image groups (see figure 5).

In regard to claim 19, Anderson, US 6,538,698, discloses image displaying method as defined in claim 17. The Anderson reference does not disclose further comprising a step of displaying said intra-group image frames included in said image group having said specified principal image frame in a shiftable manner on said second line.

Nagasaka et al., US 6,341,168, discloses an image playing method comprising a step of displaying said intra-group image frames included in said image group having said specified principal image frame in a shiftable manner on said second line (see figure 7: the intra-group image frames are displayed on in window (706) which scrolls, shifting the principal image).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Anderson, US 6,538,698, in view of Nagasaka et al., US 6,341,168, to have a step of displaying said intra-group image frames included in said image group having said specified principal image frame in a shiftable manner on said second line, in order to easily view all the images in the group by scrolling if there are too many images to fit in one window while still viewing the row of primary images.

In regard to claim 30, Anderson, US 6,538,698, discloses image displaying method as defined in claim 1. The Anderson reference does not disclose wherein in operation F, at least two intra-group image frames are displayed on the display panel.

Nagasaka et al., US 6,341,168, discloses an image playing method comprising a step of displaying said intra-group image frames included in said image group having said specified principal image frame wherein at least two intra-group image frames are displayed on the display panel (see figure 7, element 706: the intra-group image frames are displayed on in window (706) on a second line).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Anderson, US 6,538,698, in view of Nagasaka et al., US 6,341,168, wherein in operation F, at least two intra-group image frames are displayed on the display panel, in order to easily view all the images in the group by scrolling if there are too many images to fit in one window while still viewing the row of primary images.

**6. Claims 9 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson, US 6,538,698, in view of Misawa, US 2003/0154190.**

In regard to claim 9, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 3. The Anderson reference does not disclose further comprising a step of displaying information of a chronological zone of said image frames derived from said image groups on said display panel near to respectively said principal image frames.

Misawa, US 2003/0154190, discloses an image displaying method comprising a step of displaying information of a chronological zone (see figure 6, element 96B) of said image frames derived from said image groups on said display panel near to respectively said principal image frames (see figure 6, elements 96 and para. 78-79).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Anderson, US 6,538,698, in view of Misawa, US 2003/0154190, to have a step of displaying information of a chronological zone of said image frames derived from said image groups on said display panel near to respectively said principal image frames, in order for the user to more easily infer the images in the group to some extent and use that as a guideline for image selection.

In regard to claim 28, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 1. The Anderson reference does not disclose wherein the chronological interval denotes differences between a date and time of a generation of the image frames.

Misawa, US 2003/0154190, discloses wherein the chronological interval denotes differences between a date and time of a generation of the image frames (see figure 6, elements 96 and para. 78-79).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Anderson, US 6,538,698, in view of Misawa, US 2003/0154190, wherein the chronological interval denotes differences between a date and time of a generation of the image frames, in order for the user to more easily infer the images in the group to some extent and use that as a guideline for image selection.



**7. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson, US 6,538,698, in view of Endo, US 6,965,403.**

In regard to claim 18, Anderson, US 6,538,698, discloses an image displaying method as defined in claim 17. The Anderson reference does not disclose further comprising a step of moving said indicator on said second line, in order to specify one of said intra-group image frames included in said image group having said specified principal image frame.

Endo, US 6,965,403, discloses an image displaying method comprising a step of specifying one of said intra-group image frames included in said image group having said specified principal image frame by selecting one of the images on a second line (see column 8, lines 44-56).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Anderson, US 6,538,698, in view of Endo, US 6,965,403, to have a step of moving said indicator on said second line, in order to specify one of said intra-group image frames included in said image group having said specified principal image frame, in order to easily and quickly select the desired image.

***Conclusion***

**8. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on 571-272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

gvs



**LIN YE**  
SUPERVISORY PATENT EXAMINER